

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

To:

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54 Doughty Street
LONDON WC1N 2LS
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26 JAN 2004

Date of mailing
(day/month/year)

22-01-2004

Applicant's or agent's file reference
207271/KCS/PJB/nlb

REPLY DUE

within 60 months/days from
the above date of mailing

International application No.

PCT/IB 2002/002324

International filing date (day/month/year)

29-04-2002

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC

H04L 29/06

Applicant

Nokia Corporation et al.

1. ☐ The written opinion established by the International Searching Authority:

☐ is

☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This first (first, etc.) opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

29-08-2004

Name and mailing address of the IPEA/SE
Patent- och registreringsverket
Box 5055
S-102 42 STOCKHOLM
Facsimile No. 46 8 667 72 88

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Form PCT/IPEA/408 (cover sheet) (January 2004)

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WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/IB 2002/002324

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed.")*:

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages _____ as amended (together with any statement) under Article 19

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

WRITTEN OPINION OF THE
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Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1, 4, 6-9, 12-14, 20, 21</u>
	Claims	
Inventive step (IS)	Claims	<u>1-21</u>
	Claims	
Industrial applicability (IA)	Claims	
	Claims	

2. Citations and explanations:

D1: "Stream Control Transmission Protocol" R. Stewart 2000 October.

D2: "TLS over SCTP" Jungmaier A. 2001 14 Nov.

The objective of the invention is to provide a communication between two entities without requiring the fifth adaptation layer.

D1 discloses the SCTP format. The format includes source port and destination port, which distinguish between connections. This is information that concerns the connection and thereby when sent to entities connection information is transferred between the entities.

D2 discloses SCTP signalling, wherein the signalling further contains TLS. The TLS involves handshaking, which means that connection identity information is transferred between the entities.

D1 is considered to be the closest state of the art.

According to D1 the Payload Protocol Identifier represents an application identifier. From what D1 discloses the invention according to claims 1, 4, 6-9, 12, 20 and 21 is not novel.

From what D2 discloses the invention according to claims 1, 13, 14 and 20 is not novel.

From what is known from D1 or D2 the invention according to claims 2, 3, 5, 15-19 only states details known or obvious to a person skilled in the art. These details concerns what the connection information comprises, different types of entities, forwarding the packet etc. and does not require an extra inventive activity by the skilled

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

person to arrive at the object according to the claims 2,3,5,15-19.

The invention according to claims 10,11 further differs from D1 in the matter of placing the connection information in a separate field in the header of a SCTP packet.

The effect of this is to be able to omit the adaptation layer

The problem underlying the present application is consequently that the address information should be transferred to the entity without an extra adaptation layer.

D1 states that the sender's port number in the header can be used in combination with the source IP address, the destination port and the destination IP address to identify the association to which the packet belongs. With this knowledge it is considered obvious to a person skilled in the art to adjust the protocol according to D1 by implementing the address in a separate field of the header in order to omit the adaptation layer according to claims 10 and 11 of the present application.

The invention according to claims 10 and 11 lacks an inventive step.